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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,831	12/11/2000	Jose E. Korneluk	CM03265J	2446

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MOTOROLA, INC
INTELLECTUAL PROPERTY SECTION
LAW DEPT
8000 WEST SUNRISE BLVD
FT LAUDERDAL, FL 33322

EXAMINER

TRINH, TAN H

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 07/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,831

Applicant(s)

KORNELUK ET AL.

Examiner

TAN TRINH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. Claim 9 is allowed.

Reasons for allowance

2. The following is a statement of reasons for the indication of allowable subject matter:

The closest of reference Danghani (U.S. Patent No. 5,862,470), Huttenen (U.S. Patent No. 5,448,622) and prior art of record fails to teach or suggest, the method of timed affiliation for a wireless two way communication device, comprising: monitoring a Broadcast Control Channel time until the Broadcast Control Channel time matches a timed affiliation time; deregistering from a current affiliation; clearing affiliation information from memory; setting up new registration parameters for a new affiliation; transmitting a request for the new affiliation; if a new affiliation registration is accepted, awaiting a next Broadcast Control Channel time to match a timed affiliation time; and if a new affiliation registration is not accepted: re-transmitting a request for the new affiliation for up to N times; and if the new affiliation registration is not accepted after N times, setting a prior affiliation as the new affiliation and transmitting a registration request to reset the affiliation to the prior affiliation, as cited in claim 9.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

4. Claims 1-4 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention, Danghani (U.S. Patent No. 5,862,470).

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Regarding to claim 1, Damghani teaches the communication device, comprising:
a wireless transceiver capable of operating with a plurality of affiliations; (see fig. 4 item 96 with 104, 106, 108, and col. 1, lines 54-60), a memory storing data associated with the plurality of affiliations and time information associated with each of the plurality of affiliations (see fig. 4 col. 6, lines 7-41) the time information governing what time each of the plurality of affiliations is to be an active affiliation; means for determining a current time; and a controller which compares the current time with the time information to determine which of the plurality of affiliations is to be active, and which directs the transceiver to operate in accordance with the data associated with the active affiliation (see figs. 4-5 and col. 1 lines 64 - col. 2, lines 1-6, col. 6, lines 7- col. 7 and col. 8., lines 1-4).

Regarding to claim 2, Damghani teaches wherein the means for determining a current time comprises means for decoding a transmitted time received on a control channel (see col. 6, lines 51-67, col. 7, lines 1-14).

Regarding to claim 3, Damghani teaches wherein the means for determining a current time comprises a real time clock (see fig. 1 item 40 is real time clock and fig. 7 item 174 determine real time, col. 4, lines 14-24).

Regarding to claim 4, Damghani teaches wherein the time information comprises time of day information and day information (see, col. 4, lines 14-24).

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danghani (U.S. Patent No. 5,862,470) as applied to claims 1-4 above, and further in view of Huttunen (U.S. Patent No. 5,448,622).

Regarding to claim 5, Damghani teaches wherein two of the plurality of affiliations comprise affiliations with a single communication system (see col. 2, lines 1-6). But Damghani fails to show which is using two NAMs.

However, Huttunen teaches the cellular telephone with plural telephone numbers or two NAMs (see abstract lines 1-4, and col. 1, lines 32-39).

Therefore, it would have been obvious to one of the ordinary skill in the art the time invention was made to modify the Damghani system and the providing of the teaching of Huttunen on the cellular telephone with plural telephone numbers or two NAMs thereto in order to provide user with the flexibility and convenience to have two numbers for office and private number in the same telephone.

Regarding to claim 6, Huttunen teaches wherein two of the plurality of affiliations comprise affiliations with two different communication systems (see col. 1, line 58-61, and col. 2, lines 40-46).

Regarding to claim 7. Huttunen teaches wherein two of the plurality of affiliations comprise affiliations with two telephone numbers (see fig. 3 items 543 and 544 and abstract lines 1-11).

Regarding to claim 8, Damghani teaches the multi-mode wireless telephone device, comprising: a wireless transceiver capable of operating with at least two affiliations (see fig. 4 item 96 with 104, 106, 108, and col. 1, lines 54-60), the wireless transceiver operating to receive system information including time information transmitted over a control channel, the system information comprising at least time, day of week, month, and day of month; a memory storing data associated with the plurality of affiliations (see fig. 4 col. 6, lines 7-41) and time information associated with each of the plurality of affiliations, the time information governing what time each of the plurality of affiliations is to be an active affiliation; and a controller which compares the current time with the time information to determine which of the plurality of affiliations is to be active, and which directs the transceiver to operate in accordance with data associated with the active affiliation (see figs. 4-5 and col. 1 lines 64 - col. 2, lines 1-6, col. 6, lines 7- col. 7 and col. 8., lines 1-4). But Damghani fails to show the wireless telephone device associated with at least two NAMs.

However, Huttunen teaches the cellular telephone with plural telephone numbers or two NAMs (see abstract lines 1-4, and col. 1, lines 32-39).

Therefore, it would have been obvious to one of the ordinary skill in the art the time invention was made to modify the Damghani system and the providing of the teaching of Huttunen on the cellular telephone with plural telephone numbers or two NAMs thereto in order

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to provide user with the flexibility and convenience to have two numbers for office and private number in the same telephone.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Maeda (U.S. Patent No. 5,212,810) discloses terminal equipment of a vehicle radiotelephone system.

Weiner (U.S. Patent No. 4,677,653) discloses cellular mobile phone with a plurality of accessing telephone numbers for allowing access to the mobile phone by any one of the telephone numbers.

Redd (U.S. Patent No. 5,467,388) discloses method and apparatus for selectively blocking incoming telephone calls.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

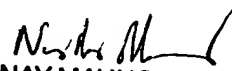
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (703) 305-5622. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Tan H. Trinh
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July 10, 2003


NAY MAUNG
PRIMARY EXAMINER